

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Scott A. Marx
Debtor(s)

Bankruptcy Case No.: 19-21621-GLT
Issued Per June 25, 2020 Proceeding
Chapter: 13
Docket No.: 108 – 88
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated February 18, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,829 as of July 2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☒ B. The length of the Plan is increased to a total of 60 months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

The post-petition utility claim of People's Natural Gas Company is a priority administrative claim to be paid at \$123.93 per month beginning April 2020.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

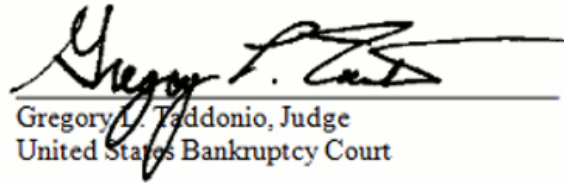
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: July 1, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

Imaged Certificate of Notice Page 4 of 5

United States Bankruptcy Court
Western District of PennsylvaniaIn re:
Scott A. Marx
DebtorCase No. 19-21621-GLT
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: jhel
Form ID: 149Page 1 of 2
Total Noticed: 36

Date Rcvd: Jul 01, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 03, 2020.

db +Scott A. Marx, 711 Gallion Avenue, Pittsburgh, PA 15226-1630
cr +City of Pittsburgh & School District of Pittsburgh, Goehring, Rutter, and Boehm,
437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219,
UNITED STATES OF AMERICA 15219-6101
cr +Pittsburgh Water & Sewer Authority, Goehring, Rutter, and Boehm,
437 Grant Street, 14th Floor, Frick Building, Pittsburgh, PA 15219,
UNITED STATES OF AMERICA 15219-6101
cr +Planet Home Lending, LLC., 321 Research Parkway, Suite 303, Meriden, CT 06450-8342
15037436 +Anthony Palandro, 1324 Beechview Avenue, Pittsburgh, PA 15216-3344
15037439 +City of Pittsburgh/SD of Pittsburgh, c/o Jordan Tax Service, Inc., 102 Rahway Road,
Canonsburg, PA 15317-3349
15092424 +City of Pittsburgh & School Dist. of Pittsburgh, Goehring Rutter & Boehm,
c/o Jeffery R. Hunt, Esq., 437 Grant Street, 14th Floor, Frick Building,
Pittsburgh PA 15219-6101
15037442 +Dugesne Light, Payment Processing Center, P.O. Box 10, Pittsburgh, PA 15267-0001
15037444 Florida Department of Education, Office of Student, PO Box 7019,
Tallahassee, FL 32314-7019
15037445 +KML Law Group P.C., c/o Scott A Marx, Esquire, Suite-5000, 701 Market Street,
Philadelphia, PA 19106-1538
15037446 +McElrath Legal Holdings, LLC, 1641 Saw Mill Run Blvd., Pittsburgh, PA 15210-3433
15037447 +Mr. Cooper, Attn: Customer Relations, PO Box 619098, Dallas, TX 75261-9098
15037448 +NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
(address filed with court: Nationstar Mortgage LLC, 350 Highland Drive,
Lewisville, TX 75067)
15037449 +PA Department of Labor & Industry, PO Box 28405, Harrisburg, PA 17128-0001
15037451 +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue,
Pittsburgh, PA 15233-1828
15037452 +Pittsburgh American Water, PO Box 578, Alton, IL 62002-0578
15037453 +Pittsburgh Water & Sewer Authority, 1200 Penn Ave. #100, Pittsburgh, PA 15222-4216
15091546 +Pittsburgh Water and Sewer Authority, Goehring Rutter & Boehm, c/o Jeffery R. Hunt, Esq.,
437 Grant Street, 14th Floor, Frick Building, Pittsburgh PA 15219-6101
15037456 +Thompson Law Group, 125 Warrendale-Bayne Road, Suite 200, Warrendale, PA 15086-6504
15142727 +Wilmington Trust, National Association, et al., c/o Planet Home Lending LLC,
321 Research Parkway, Suite 303, Meriden, CT 06450-8342

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

15059154 +E-mail/Text: csc.bankruptcy@amwater.com Jul 02 2020 06:03:03 American Water,
c/o Pennsylvania American Water, PO Box 578, Alton, IL 62002-0578
15037437 +E-mail/Text: bnc@atlasacq.com Jul 02 2020 06:00:16 Atlas Acquisitions LLC, 294 Union St.,
Hackensack, NJ 07601-4303
15037438 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jul 02 2020 05:57:51 Capital 1 Bank,
Attn: Bankruptcy Dept., PO Box 30285, Salt Lake City, UT 84130-0285
15195399 +E-mail/Text: ebnotifications@creditacceptance.com Jul 02 2020 06:00:13 Credit Acceptance,
PO Box 551888, Detroit, MI 48255-1888
15225046 +E-mail/Text: ebnotifications@creditacceptance.com Jul 02 2020 06:00:13 Credit Acceptance,
25505 W 12 Mile Rd, Ste 3000, Southfield MI 48034-8331
15037440 +E-mail/PDF: creditonebknottifications@resurgent.com Jul 02 2020 05:57:59 Credit One Bank,
Attn: Bankruptcy, PO Box 98873, Las Vegas, NV 89193-8873
15037441 +E-mail/Text: bankruptcynotices@dcicollect.com Jul 02 2020 06:02:35
Diversified Consultants, Inc., Re: Dish Network, PO Box 551268,
Jacksonville, FL 32255-1268
15037443 +E-mail/Text: kburkley@bernsteinlaw.com Jul 02 2020 06:02:49 Duquesne Light,
Bernstien Law Firm, 411 7th Avenue, Maildrop 7-3, Pittsburgh, PA 15219-1919
15077415 +E-mail/Text: kburkley@bernsteinlaw.com Jul 02 2020 06:02:49 Duquesne Light Company,
c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,
Pittsburgh, PA 15219-1945
15045146 E-mail/PDF: resurgentbknottifications@resurgent.com Jul 02 2020 05:58:43 LVNV Funding, LLC,
Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15037450 E-mail/Text: lizb@peoplescredit.com Jul 02 2020 06:00:03 Peoples Credit Co.,
4950 NE 148th Street, Portland, OR 97230
15077849 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 02 2020 05:57:58
Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15037454 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Jul 02 2020 05:59:25
Portfolio Recovery Associates, Re: Capital One, PO Box 4115, Concord, CA 94524-4115
15037455 E-mail/Text: appebnmailbox@sprint.com Jul 02 2020 06:01:34 Sprint Corp,
Attn: Bankruptcy Dept., PO Box 7949, Overland Park, KS 66207
15037457 +E-mail/Text: wfmelectronicbankruptcynotifications@verizonwireless.com Jul 02 2020 05:59:59
Verizon, Verizon Wireless Bankruptcy Admin, 500 Tecnolgy Dr Ste 500,
Weldon Springs, MO 63304-2225
15074241 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Jul 02 2020 06:20:21 Verizon,
by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

TOTAL: 16

District/off: 0315-2

User: jhel
Form ID: 149

Page 2 of 2
Total Noticed: 36

Date Rcvd: Jul 01, 2020

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Nationstar Mortgage LLC d/b/a Mr. Cooper
cr* +Atlas Acquisitions LLC, 294 Union St., Hackensack, NJ 07601-4303
cr* +Duquesne Light Company, c/o Bernstein-Burkley, P.C.,
707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr* +Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave.,
Pittsburgh, PA 15233-1828
15075845* ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
(address filed with court: Nationstar Mortgage LLC, d/b/a Mr. Cooper, P.O. Box 619096,
Dallas, TX 75261-9741)
TOTALS: 1, * 4, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 03, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 1, 2020 at the address(es) listed below:

Bryan P. Keenan on behalf of Debtor Scott A. Marx keenan662@gmail.com, melindap662@gmail.com
James Warmbrodt on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper
bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Pittsburgh Water & Sewer Authority jhunt@grblaw.com,
cnoroski@grblaw.com
Jeffrey R. Hunt on behalf of Creditor City of Pittsburgh & School District of Pittsburgh
jhunt@grblaw.com, cnoroski@grblaw.com
Kaitlin Shire on behalf of Creditor Planet Home Lending, LLC. kshire@hillwallack.com,
skenny@HillWallack.com; jrydzewski@HillWallack.com
Karina Velter on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper
amps@manleydeas.com
Keri P. Ebeck on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com,
jbluemle@bernsteinlaw.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,
srk@sjwpgh.com; PNGbankruptcy@peoples-gas.com

TOTAL: 10